IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Bail Appl..No. 2041 of 2007()

C.R. No.13/2007 of Koyilandy Excise Range

: PETITIONER/ACCUSED

GOPALAN, S/O. KURUMBAN,
MANATTIL KUNIYIL, KEEZHARIYOOR AMSOM, DESOM,
KOYILANDY.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA, THROUGH THE
EXCISE INSPECTOR, KOYILANDY EXCISE RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2041 OF 2007 A

Dated this the 10th day of April, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in C.R. No.13/2007 of Koyilandy Excise Range for offences punishable under Secs.8 (1) and 8(2) of the Abkari Act for having been found in possession of 5 liters of illicit arrack on 17.3.07 and who was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 17.4.2007 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Koyilandy and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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